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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,979	12/12/2006	Yoichi Nemoto	Q95077	3586
23373 7590 11/17/2010				
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SUITE 800				
WASHINGTON, DC 20037				
EXAMINER				
MCPHERSON, JOHN A				
ART UNIT		PAPER NUMBER		
1721				
NOTIFICATION DATE		DELIVERY MODE		
11/17/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/579,979

Applicant(s)

NEMOTO ET AL.

Examiner

John A. McPherson

Art Unit

1721

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8 and 9 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

1. This Office Action is responsive to the Amendment filed 9/13/10.
2. The Amendment filed 9/13/10 successfully overcomes the objections set forth in paragraph 1 of the Office Action mailed 6/11/10. Accordingly, this objection is withdrawn.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 3, 8 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, line 3, there is now a period(.) after "radiation" (which was not present in claim 2 as filed, even though the claim is labeled "original"). This extra period should be removed so that the claim is presented as a single sentence (i.e. so that the temperature range limitation after the first period is clearly part of the claim). Claim 3 is included in this rejection only because it alternatively depends from indefinite claim 2

Claim 8 recites the limitation "the side chain" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. This rejection could be overcome by correcting "the" side chain to --a-- side chain.

Claim 9, line 3, presents the limitation "the following formula (1-1) to formula (1 to 3)". However, the claim does not present a "formula (1 to 3)", but instead presents a "formula (1-3)" [see lines 8-9] . This rejection could be overcome by correcting formula "(1 to 3)" to formula --(1-3)--.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5, 6, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2003-295432 [reference 6 of the Information Disclosure Statement filed 2/24/10] (JP '432) in view of JP 2002-107534 [reference 1 of the Information Disclosure Statement filed 2/24/10] (JP '534) for the reasons of record as set forth in paragraph 2 of the Office Action mailed 6/11/10, and as further discussed below.

Allowable Subject Matter

5. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments filed 9/13/10 have been fully considered but they are not persuasive.

With respect to the 35 USC 103 rejection over JP '432 in view of JP '534, Applicant argues that JP '534 does not disclose the concept of performing an exposure to ultraviolet light with heating at the same time. However, because the lower end of the temperature range for "heating" in claim 1 of the present invention is 20°C (i.e. room temperature), it is the position of the Examiner that the irradiation step of JP '534 does meet this limitation. Note that Example 7 of the present invention exemplifies an embodiment wherein post curing proceeds according at condition 5, which utilizes irradiation with a plate temperature of "---" (i.e. without heating, corresponding to room temperature, which is 20°C). Therefore, as defined in the present specification, irradiating at room temperature is included within the scope of irradiating while "heating" [to 20°C] at the same time. The Examiner notes that dependent claim 4, which presents the further limitation "ultraviolet irradiation is irradiated on the developed coating film under heating at 25°C to 40°C (i.e. above room temperature), is not include in this rejection.

Furthermore, Applicant argues claim 1 as amended requires that the alkali soluble resin contains a molecular chain having a polymerizable double bond in the molecule. However, this limitation is disclosed in paragraph [0021] of JP '432, along with the expected benefit of raised bridge construction efficiency which is attributed thereto.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. McPherson whose telephone number is (571) 272-1386. The examiner can normally be reached on Monday through Friday, 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Huff can be reached on (571) 272-1385. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John A. McPherson/
Primary Examiner, Art Unit 1721

JAM
11/11/10